



1997 SENATE BILL 353

November 14, 1997 - Introduced by Senators COWLES, HUELSMAN, CLAUSING, RUDE, DRZEWIECKI, ROESSLER, FARROW, WELCH and SHIBILSKI, cosponsored by Representatives GREEN, RYBA, AINSWORTH, GARD, URBAN, BRANDEMUEHL, SERATTI, HANDRICK, MUSSER, SCHAFFER, HAHN, LADWIG, GOETSCH, KREIBICH, PLALE, OTTE, FREESE, SKINDRUD, HARSDFOR, KEDZIE and PORTER. Referred to Committee on Judiciary, Campaign Finance Reform and Consumer Affairs.

- 1 **AN ACT to amend** 973.06 (1) (a) of the statutes; **relating to:** costs that may be
2 imposed on a person convicted of a crime.

Analysis by the Legislative Reference Bureau

Current law places limits on the costs that a court may assess against a person who has been convicted of a crime. One item for which a defendant may be ordered to pay costs is the necessary disbursements and fees of officers incurred in connection with the arrest, preliminary examination and trial of the defendant. This item does not include general internal operating expenses or routine law enforcement investigation, but only fixed charges (for example, for a professional service) and funds paid out by law enforcement officers. *State v. Peterson*, 163 Wis. 2d 800 (Ct. App. 1991).

This bill provides that a court may order a person who has been convicted of a crime to pay the expenses incurred by law enforcement agencies and prosecutors that are attributable to the investigation, apprehension, detention prior to sentencing and prosecution of the defendant. Under the bill, these expenses include the necessary disbursements and fees of officers that a defendant may be ordered to pay under current law.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

